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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 037267/0142

Applicant: Yoshiki WAKIZAKA

Title: CELLULAR SYSTEM AND METHOD OF MAKING
COMMUNICATION IN MULTI-CODE CDMA

Serial No.: 10/031,344

Filed: January 18, 2002

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is being filed in compliance with 37 C.F.R. §1.97(b) within three (3) months of the filing date of the above-identified application.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

A translation of a portion of a Japanese Office Action that issued November 13, 2001 with respect to a counterpart Japanese patent application is provided below:

In Figure 1, Figure 10, and Paragraphs 96 and 97 of Application 1, the following system is essentially disclosed:

"A cellular system through a multi-code CDMA system in which a moving station (refer to "MS") connects with a base station (refer to "BS") through a multi-code CDMA system, and a superordinate station (refer to "BSC") controls these connections, said cellular system having:

a call start instruction means in which said superordinate station instructs a call start to the caller's base station if the channel is able to secure an n-code, and instructs call start using an m-code to the caller's base station and instructs call start using an (n-m) code to another base station (refer to "BS2") that neighbors the caller's base station (refer to "BS1") if the channel is able to secure an m-code (m: $m < n$, natural number) (refer to (1002 to 1011) of Figure 1) (refer to "investigate whether or not wireless source assignment is possible (1023) ~ allow establishment of line (1026-1027)");

and a multi-code call means in which said moving station performs the call with the base station of the individual to whom the connection is requested, and performs the call with another base station that neighbors this base station."

Furthermore, in the CDMA system of Application 1, configuring the antenna of the base station into an adaptive array antenna as in Claims 3 and 6 is merely a slight difference in the Embodiment of the Means for Solving the Problems that attempts to provide a high connection rate with respect to the moving station.

List of Cited Literature

1. Japanese Patent Application H11-205772 (Refer to Japanese Unexamined Patent Application Publication 2001-036964.)

As for inventions related to Claims 2 and 5, which are not indicated in this Notification of Reasons for Rejection, no reasons for rejection have been discovered at this point in time. A Notification of Reasons for Rejection will be forwarded if new reasons for rejection are discovered.

Record of Prior Art Literature Search Results

Fields Searched	IPC 7th Edition
	H04B 7/24-7/26, 113
	H04Q 7/00-7/38

Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

Respectfully submitted,

FEBRUARY 13, 2002

Date



Ankur D. Shah
Registration No. 41,514

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5300
Facsimile: (202) 672-5399

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INFORMATION DISCLOSURE CITATION

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APPLICANT

Yoshiki WAKIZAKA

FILING DATE

January 18, 2002

GROUP ART UNIT

Unassigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	A1	2001-36964	02/09/2001	JAPAN			ABSTRACT	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.